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Ogden Fire Co No 1 v. Upper Chichester Twp

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UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

06-2297/07-1694

OGDEN FIRE COMPANY NO. 1;
SPRINT SPECTRUM, L.P.

Appellees

v.

UPPER CHICHESTER TOWNSHIP; ZONING HEARING BOARD OF UPPER
CHICHESTER TOWNSHIP,
Appellants

Appeal from the United States District Court
for the Eastern District of Pennsylvania
(05-cv-01031)

District Judge: Hon. John R. Padova

Argued: May 21, 2007

Before: McKee, Ambro, Circuit Judges and
Ackerman,* District Judge

ORDER AMENDING OPINION

IT IS HEREBY ORDERED that the Slip Opinion filed in this case on October 4, 2007, be amended as follows:

On page 7, delete the sentence “With Sprint’s antennas on the top of the monopole would increase the total height of the tower to 133 feet” and replace it with the sentence “With Sprint’s antennas on the top of the monopole, the total height of the tower would be 133 feet.”

*The Honorable Harold Ackerman, Senior District Judge of the United States District Court for the District of New Jersey, sitting by designation.

BY THE COURT

/s/ Theodore A. McKee
Circuit Judge

Dated: October 12, 2007